

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DILIGENT ENTERPRISE MANAGEMENT,
LLC,

Plaintiff,

- against -

AML GLOBAL ECLIPSE, LLC, DWC PINE
INVESTMENTS I, LTD., ALAN
KLAPMEIER, JAMES CARROLL, STEVE
SERFLING, RJ SIEGLE, MIKE WYSE, and
CAROL LAROTONDA,

Defendants.

Case No. 1: 23-cv-10924-VEC

[State Court Index No. 653523/2023]

**PLAINTIFF'S
NOTICE OF MOTION
TO REMAND TO STATE COURT**

PLEASE TAKE NOTICE, that pursuant to 28 U.S.C. §1447(c), and the annexed Declaration of Darryl R. Graham, Esq., dated January 31, 2023, and the exhibits annexed thereto, the accompanying Memorandum of Law in Support of the Motion to Remand this Action to State Court, and all prior pleadings, filings, and proceedings, in this action, Plaintiff Diligent Enterprise Management, LLC (“Plaintiff” or “Diligent”), by and through undersigned counsel, will move this Court for an Order remanding this case to the Supreme Court of the State of New York, New York County under 28 U.S.C. §1334(c) or, alternatively, under 28 U.S.C. § 1334(c)(1)-(2) and 28 U.S.C. § 1452(b), awarding attorneys’ fees under 28 U.S.C. § 1447(c), and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York
January 31, 2024

AKERMAN LLP

By: /s/ Darryl R. Graham
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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 31, 2024, a true and correct copy of the foregoing was served on counsel of record for Defendants through the Court's CM/ECF system.

/s/ *Darryl R. Graham*
Darryl R. Graham